

APR 22 2008

DARDI & ASSOCIATES, PLLC

ATTORNEYS AT LAW

Intellectual Property - patents,
trademarks & copyrightsPeter S. Dardi, Ph.D.
Curtis B. Herbert, Ph.D.
Elizabeth Quan ShlpsidesPatent Agent
Mengmeng A. Fahrni, Ph.D.U.S. Bank Plaza
Suite 2000
220 South Sixth Street
Minneapolis, MN 55402
612.746.3005 phone
612.746.3006 fax

FACSIMILE COVER SHEET

TOTAL NUMBER OF PAGES BEING SENT: 3

[] Original documents to follow by mail [X] No originals will be sent

DATE: April 22, 2008

TO: Examiner Humera N. Sheikh
Group Art Unit 1618

PHONE #: 571-272-0616

FAX #: 571-273-8300

One Security Centre
Suite 400
3490 Piedmont Road
Atlanta, GA 30305
404.949.5730 phone
612.746.3006 faxApplication No.: 10/605,526
Applicant: Noyes

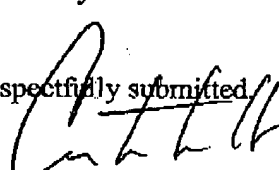
OUR REF.: 3516.32US01

FROM: Curtis B. Herbert, Ph.D., Esq.
PHONE #: 612-605-1038

Attached is the following for filing in the above-identified application.

(1) Response to Interview Summary.

Respectfully submitted,


Curtis B. Herbert, Ph.D., Esq.
Registration No. 45,443

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. 571-273-8300 on the date shown below.

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 3516.32US01

Noyes

Confirmation No.: 1769

Application No.: 10/602,526

Examiner: Sheikh, H.

Filed: June 24, 2003

Group Art Unit: 1618

For: FILLERS AND METHODS FOR DISPLACING TISSUES TO IMPROVE
RADIOLOGICAL OUTCOMES

RESPONSE TO INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

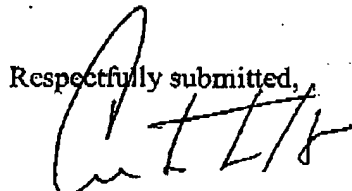
Sir:

The Examiner is thanked for the courtesy of a telephonic interview dated April 17, 2008. Applicant discussed the issue of whether the Examiner was open to the incorporation of providing broader biodegradable filler materials in the claims, besides from the claimed "collagen". Examiner indicated that Applicants, at present, have only provided for a sufficient description in the specification with regard to the use of "collagen" but have not sufficiently set forth a detailed description as to the use of the other fillers (i.e., have not clearly set forth how the other fillers would work effectively). Examiner suggested the filing of a continuation application, which provides a more detailed description of the other fillers used in the specification and to provide specifics as to what and how the ingredients are being used as well as discussion of amounts of each ingredient described. Applicant indicated that they may consider submitting experimental data to overcome any 112 enablement issues. Since

Application No. 10/602,526

application is currently under Final, any significant amendment to the claims and/or experimental data submitted may not be entered. No further agreement was reached at this time.

Respectfully submitted,



Curtis B. Herbert, Ph.D., Esq.
Registration No. 45,443

Customer No. 62274
Dardi & Associates, PLLC
US Bank Plaza, Suite 2000
220 South 6th Street
Minneapolis, Minnesota 55402
Telephone: (612) 605-1038

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April 22, 2008

Date


Curtis B. Herbert, Ph.D., Esq.